

CONCLUSION

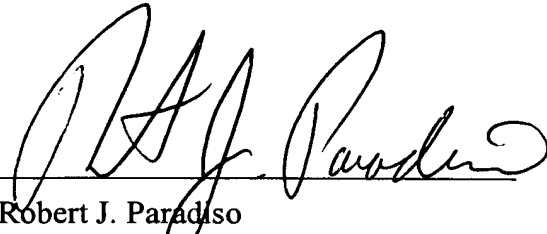
Claims 1 and 21-41 are pending. Claim 20 has been withdrawn and claims 2-19 have been canceled without prejudice. Claim 1 has been amended and claims 21-41 have been added. Support for claim 1 can be found in the specification on page 1, paragraphs 3-5; and page 6, paragraph 3. Support for claims 21-25 can be found on page 6, paragraphs 1-2. Support for claim 26 can be found on page 3, table 3. Support for claim 27 can be found on page 4, table 4. Support for claims 28-30 can be found on page 5, paragraph 3. Support for claims 31-36 can be found on page 6, paragraphs 1 and 3. Support for claim 37 can be found on page 2, table 1. Support for claim 38 can be found on page 3, table 2. Support for claim 39 can be found on page 4, last paragraph. Support for claims 40 and 41 can be found on page 5, paragraphs 2 and 3. Applicants respectfully submit that no new matter has been added by virtue of these amendments.

A check in the amount of \$36.00 is enclosed to cover the fee under 37 C.F.R. §1.16(c) for additional claims added. It is believed that no fees are due under 37 C.F.R. 1.17 (extension fees) as the Office Action mailed August 21, 2001 did not set forth any shortened statutory period for reply. If it is determined that a petition for extension and extension fees are required, Applicants respectfully request that this communication be considered as a request for such an extension and the Assistant Commissioner is hereby authorized to charge said fee or credit any overpayment to Deposit Account No. 50-0552.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: \_\_\_\_\_

  
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### **Marked-Up Amended Claims**

1. (Amended) A solid controlled release [preparation] oral dosage form, comprising a therapeutically effective amount of tramadol or a pharmaceutically acceptable salt thereof [for oral administration] incorporated into a matrix, said dosage form providing a therapeutic effect for at least about 24 hours.